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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA

v.

DONALD DANIELS, et al.,

Defendants.

No. CR 09-0862 MHP

~~PROPOSED~~ AMENDED JUDGMENT
AND ORDER RE: RESTITUTION

On June 15, 2011, defendants Donald Daniels, Martin William Washburn, Sergei Shkurkin and Tapani Koivunen were sentenced by the Honorable Marilyn P. Patel. On that date, the Court ordered that restitution be paid jointly and severally by all defendants in the amount of \$2,054.698. The Court, however, gave the parties additional time to submit arguments specific to whether restitution should be apportioned, and stated that the judgment and commitment order likely would be amended at a later date.

On July 25, 2011, defendants Donald Daniels, Martin William Washburn, Sergei Shkurkin and Tapani Koivunen, and their respective counsel appeared before the Honorable Marilyn H.

~~PROPOSED~~ AMENDED JUDGMENT
AND ORDER RE: RESTITUTION

Patel for a hearing. After reviewing the submissions by the Government, and by Mr. Daniels, and hearing argument from all counsel on the issues, the Court issued the following amended judgment with regard to restitution:

The total amount of restitution owed to the Overseas Private Investment Corporation ("OPIC") is \$2,000,000. The amount of restitution is to be apportioned between defendants Donald Daniels, Martin William Washburn, Tapani Koivunen, and Sergei Shkurkin as follows:

Defendant Donald Daniels is ordered to pay the greater of \$750,000 or his interest in three properties identified in the plea agreement between the parties. Pursuant to the terms of the plea agreement, defendant Daniels is ordered to pay this amount by February 15, 2012, that is, eight months from the date of sentencing.

Defendant Martin William Washburn is ordered to pay \$750,000. To the extent that OPIC is able to recover more than \$750,000 from Daniels, then Washburn's obligations will be reduced by any amount above \$750,000 collected from Daniels.

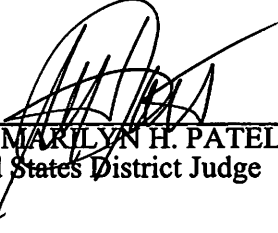
Defendant Tapani Koivunen is ordered to pay \$400,000.

Defendant Sergei Shkurkin is ordered to pay \$100,000.

Having assessed defendants Washburn, Koivunen and Shkurkin's respective ability to pay, payment of the total amount of restitution for Washburn, Koivunen and Shkurkin will commence within 30 days of release from imprisonment. The Court will set the payment plan based on an assessment of each defendant's ability to pay at that time.

IT IS SO ORDERED.

DATED:  July 8, 2011


HON. MARILYN H. PATEL
United States District Judge